

**Standing Committee on Copyright and Related Rights: Thirty-eighth Session  
2 April – 5 April (Geneva, Switzerland)**

The International Authors Forum represents authors from the text, screenwriting and visual arts sectors and their interests in copyright. Its members are 71 organisations representing well over 700,000 authors worldwide.

1. Article 27 of the Universal Declaration of Human Rights ensures everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits, and that everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which they are the author.
2. Ultimately, it is authors' work that is being considered in the matters discussed at the World Intellectual Property Organisation. There are individual authors whose rights are involved in all countries. Those rights must be given primary consideration to ensure the continued creation of culture we value today. Authors must be rewarded for their contribution to society and maintain rights to control how their work is used.
3. In recent years, we have seen growing pressure to devalue copyright and the mechanisms by which authors are remunerated for their work. This has been argued on the basis that the author will be somehow rewarded otherwise having gone unpaid for their work or simply because this is an easy cost to cut. This has gone without consideration for the long term consequences of not compensating the author. It is more important than ever that we recognise the impact these policies can have on authors and a nations' culture.
4. To ensure that authors can continue to create the work that people will access, we must ensure the author is rewarded fairly, and with respect to their profession, so that they can continue to create. If authors are not rewarded in the value chain of creation, the diversity, quality and quantity of works created will suffer. In the modern creative economy, online platforms are becoming a major channel through which culture is consumed; this can be an opportunity for authors and users but, too often, authors are not considered in the value chain. With new opportunities of user generated content, consideration must still be given to the material and moral rights of these creators as authors. In the development of many platforms, including authors in the value chain is too often treated as an afterthought that is then portrayed as difficult to correct. We challenge this unfair practice; some portray technological opportunities as incompatible with authors' rights, when in truth they are more central to our economy than ever.
5. Authors want the widest possible lawful access to their works. Authors welcome libraries, archives and educational institutions as vital points of access to authors' works, but there must be a balance of access and reward to ensure that authors can continue to create the works that are to be enjoyed. Research by the Authors' Licensing and Collecting Society in the UK has identified that authors, particularly of educational works, would potentially stop creating these works due to declining remuneration if a licensing scheme were not in place to fairly reward them for their efforts. Recent cases in Canada have shown that the unregulated expansion of the educational exception in their Copyright Modernization Act (2012) has led to significant losses of income for Canadian authors: a likely unintended consequence but an unjust detrimental effect on authors nonetheless, considering it is their work that is being used for no reward.
6. It is important to preserve the diversity of culture around the world and the opportunity for authors to contribute to their voice. This is one of the reasons that the IAF strongly supports remuneration measures such as Public Lending Right and Artist's Resale Right, as rewarding the author will help to maintain indigenous arts, literature, language and culture.

**April 2019**

7. In many countries, there are already copyright provisions in place that establish licensing frameworks which enable access through libraries, archives and educational institutions while ensuring fair payment to authors and respect of their rights regarding their works. In *An economic analysis of education exceptions* (2012, PriceWaterhouseCooper) in the UK it was found that almost 25% of authors derived more than 60% of their income from secondary licensing income, while a 10% decline in authors income would lead to a 20% drop in output. There is a clear case for Collective management organisations and fair licensing regimes as a means to efficiently ensure the balance of access to works and reward to authors.
8. Public Lending Right is a positive mechanism that provides financial recognition for authors for the loans of their books from libraries. Public Lending Right is greatly valuable to authors both as a connection to ongoing readers and as the seed of the authors' next creation. It can also be a valuable way for governments to protect authors writing in local languages.
9. Artist's Resale Right, through its global application, not only helps authors receive fair payment for work that will be sold before its value is known to them, but can also be a means of fairness to artists when their work is resold into an international market. We have seen ongoing progress made around the world, most notably, in the USA there has been support across the US Congress to introduce the resale right.
10. Authors believe that these existing provisions contain sufficient flexibility for countries represented at WIPO to continue to work towards national solutions, such as licensing frameworks, which can be developed according to local needs.
11. Authors recognise that each country must aim to respond to its local needs. However, in no country are authors able to work and create effectively when they are entirely either denied remuneration or inadequately paid.
12. While each country represented at WIPO contains libraries, archives and educational institutions seeking to secure access to works, it must not be forgotten that there are authors in each of the WIPO Member State whose rights and property are affected.